

EXHIBIT

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF JOSE MANUEL CONTES ROSADO

I, Jose Manuel Contes Rosado, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached herein as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center Towers occurred. At the time of these horrific attacks, I worked as a landscaper/groundskeeper for American Building Maintenance. Attached as Exhibit B is a true and correct copy of my proof of employment with American Building Maintenance during the events of the 9/11 terrorist attacks.

4. I arrived at work around 6:00 a.m. on the morning of 9/11. I had been working in the basement of the North Tower when American Airlines Flight 11 struck the building. My coworkers and I immediately received instructions to evacuate the building. When I exited

the North Tower, I saw the second passenger jet, United Airlines Flight 175, strike the upper section of the South Tower.

5. I watched in horror as people jumped from the windows of the North and South Towers. I saw people being trampled while they tried to run away from the World Trade Center area, and I saw people who had been engulfed in flames. The scene looked like a war zone.

6. As the South Tower began to collapse, I took off running to escape the area. But a huge cloud of smoke and building debris quickly covered the vicinity and I could not see in front of me due to the zero visibility conditions. As I ran through the thick cloud of dust and building debris, I slammed into a large concrete planter, and I suffered injuries to my right shoulder, back, and right knee. After the massive debris cloud began to settle, I escaped the area around Ground Zero and I stumbled to the safety of my sister's house.

7. As a result of these terrorist attacks, I suffered the following specific physical injuries on September 11, 2001: Right shoulder derangement with a torn rotator cuff¹, right knee derangement with a torn anterior cruciate ligament², and herniated disks in my cervical spine³. Due to my shoulder and knee injuries, I underwent two surgeries on 2002 to repair the damage to those joints caused by the events of 9/11.

8. I further suffered, and continue to suffer, severe emotional distress as a result of these terrorist attacks⁴. I suffered and continue to suffer from anxiety and bouts of depression due to these traumatic events. The horrific events that I witnessed on 9/11 directly caused all of the above conditions, which continue to this day.

¹ See, Medical Records of Jose Contes (CONTES_MEDS_000001), attached hereto as Exhibit C at 0001-0011 and 0017.

² *Id.* at 0001, 0010-0011, and 0017.

³ *Id.* at 0001.

⁴ *Id.* at 0012-0016, and 0019-0028.

9. I sought and continue to seek medical attention on a monthly basis for my injuries caused by these terrorist attacks. Attached as Exhibit C to this Declaration is a true and correct copy of my select relevant medical records related to the treatment that I received for my physical and emotional injuries following the September 11, 2001 terrorist attacks.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 7th day of September 2021.


Declarant Jose Manuel Contes Rosado

**EXHIBITS
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UNDER SEAL
(ECF No.
5716)**